

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

CSX TRANSPORTATION, INC.  
500 Water Street  
Jacksonville, FL 32202

Plaintiff,

Civil Case No. 1:09-cv-01087-GLS-  
DEP

vs.

R. FREEDMAN & SON, INC.  
D/B/A R.K. FREEDMAN & SONS, INC.  
25 Tibbits Ave  
Green Island, New York, 12183-0533

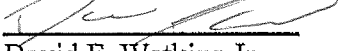
Defendant.

**JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE**

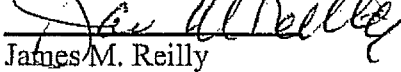
It is hereby stipulated by and between plaintiff, CSX TRANSPORTATION, INC., and defendant, R. FREEDMAN & SON, INC., by and through their respective undersigned counsel in the case captioned and docketed as *CSX Transportation, Inc. v. R. Freedman & Son, Inc.*, Case No. 1:09-cv-01087, that all claims asserted therein by CSX Transportation, Inc., against R. Freedman & Son, Inc. shall be dismissed with prejudice. It is further agreed that each party shall bear its own attorneys' fees and costs.

Respectfully submitted,


KEENAN COHEN & HOWARD P.C.

By:   
David F. Watkins Jr.  
One Pitcairn Place, Suite 2400  
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Jenkintown, PA 19046  
*Attorneys for CSX Transportation, Inc*

HERZOG LAW FIRM, P.C.

By:   
James M. Reilly  
7 Southwoods Boulevard  
Albany, NY 12211  
*Attorneys for R. Freedman & Son*

IT IS SO ORDERED:

  
David E. Peebles  
U.S. Magistrate Judge  
Dated: January 29, 2010  
Syracuse, NY